

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

UNITED STATES OF AMERICA

09-CR-444-01-BR

v.

SUBHASH NAITHANI,

Defendant.

JUDICIAL ORDER OF REMOVAL  
OF ALIEN DEFENDANT

Alien File No. A 95 807 019

Defendant and the United States have jointly requested and stipulated to entry of a judicial order of removal at time of defendant's sentencing, pursuant to Title 8, United States Code, Section 1228(c)(5). Pursuant to that request, the Court finds the following:

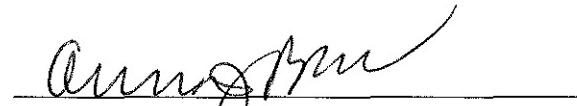
1. Defendant knowingly, voluntarily, and intelligently waives the right to notice and a hearing prior to removal from the United States.
2. The facts in support of this request are as follows:
  - a. Defendant is not, nor has he ever been, a citizen or national of the United States;
  - b. Defendant is a native and citizen of India;
  - c. Defendant designates India as the country of removal pursuant to 8 U.S.C. § 1231(b)(2)(A)(i);
  - d. Defendant's conviction in the above-entitled case is an aggravated felony under Title 8 U.S.C. § 1101(a)(43)(B) and a drug trafficking felony under Title 8 U.S.C. § 1227(a)(2)(A)(iii)

which subjects the defendant to removal proceedings after completing his federal sentence.

e. The defendant and the government have specifically requested a judicial order of removal at time of sentencing.

Therefore, it is hereby ORDERED pursuant to Title 8, United States Code, Section 1228(c)(5) that defendant be REMOVED from the United States to the country of India and that promptly upon his release from confinement the United States Department of Homeland Security or its agencies therein execute this ORDER OF REMOVAL according to the applicable laws and regulations of the United States.

Dated this 4<sup>th</sup> day of August 2011.

  
ANNA J. BROWN  
United States District Judge

Presented by:

DWIGHT C. HOLTON  
United States Attorney

  
JOHN F. DEITS, OSB # 743647  
Assistant United States Attorney